

Our ref USA039.930801

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VIA ECF

Honorable Katherine Polk Failla, U.S. District Judge
United States District Court
Southern District of New York
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July 1, 2020

Re: US Specialty Insurance Co. v. Wesco Ins. Co. v. Colony Ins. Co.
S.D.N.Y. Docket No.: 1:19-cv-4260-KPF
Wesco Ins. Co. v. Colony Ins. Co.
S.D.N.Y. Docket No. 1:19-cv-3295--KPF
Our File No.: LF 127.0567015

Dear Judge Failla:

We represent defendant/third-party plaintiff/plaintiff Wesco Insurance Company in this matter.

Per the court-ordered deadline, Wesco timely filed its summary judgment motion on May 27, 2020. In its recently filed opposition papers, third-party defendant/defendant Colony Insurance Company accurately brought to our attention that we failed to file with our moving papers a 56.1 Statement. In fact, although we had timely prepared the Statement (copy attached), we inadvertently failed to include it with the other motion papers. We thus respectfully request that the Court grant Wesco leave to file the Statement and allow Colony ample time to respond.

We apologize for the inconvenience.

Respectfully yours,

/s/ Max W. Gershweir
Max Gershweir
Partner
for Kennedys

Encl.

Granted. SO ORDERED.

Date: July 1, 2020
New York, New York

Mary Kay Vyskocil
Mary Kay Vyskocil
United States District Judge